

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**CPL (LINWOOD) LLC d/b/a LINWOOD CARE
CENTER AND ITS SUCCESSOR 201 NEW
ROAD OPERATIONS, LLC d/b/a LINWOOD
CARE CENTER**

and

**1199 SEIU UNITED HEALTHCARE
WORKERS EAST**

**Cases 04-CA-146362
04-CA-146670
04-CA-148705
04-CA-165109**

ORDER¹

The Respondent's motions for partial dismissal of the complaint are denied. The Respondent has failed to demonstrate that the complaint allegations concerning the unilateral changes to and revocation of the parties' oral agreement allowing the Union access to the facility and the delay in furnishing information requested by the Union are moot. Further, to the extent that the Respondent is seeking summary judgment on the complaint's allegations pertaining to the discipline of its employees, it has failed to establish that there are no genuine issues of material fact and that it is entitled to judgment as a matter of law.

Dated, Washington, D.C., March 14, 2016.

PHILIP A. MISCIMARRA, MEMBER

KENT Y. HIROZAWA, MEMBER

LAUREN McFERRAN, MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.